

State of Washington  
Department of Ecology  
Yakima Washington



IN THE MATTER OF APPLICATION FOR CHANGE BY	)	
KERSHAW SUNNYSIDE RANCHES, INC.	)	
REQUESTING CHANGE IN THE PLACE OF USE	)	Emergency Drought
OF WATER UNDER GROUND WATER CERTIFICATE	)	Change Authorization
NO. G4-24824C	)	
	)	

In accordance with the provisions of RCW 43.83B.405, on March 14, 2001, it was ordered and determined by the Director of the Department of Ecology that the State of Washington is under drought conditions. In accordance with the provisions of WAC 176-166-060, the Department of Ecology is under the terms of this Order, issuing an EMERGENCY DROUGHT CHANGE AUTHORIZATION. The intent of this authorization is to alleviate hardships and reduce the burdens on water users arising from the drought conditions.

#### Background

On April 24, 2001, Kershaw Sunnyside Ranches Inc. filed an application to change existing water rights in Yakima County to other properties within the Rosa Irrigation District(RID). Irrigation on their lands is authorized under the RID and an existing non-interruptible supplemental water right G4-24824C.

WAC 173-166-080 allows the state to authorize temporary transfers of irrigation rights provided that the acreage on the second parcel does not exceed the acreage reduction on the first parcel.

#### Ground Water Certificate No G4-24824C

Ground Water Certificate No. G4-24824C with a priority date of February 24, 1977 was issued to Kershaw Sunnyside Ranches, Inc. and authorizes the withdrawal of 1200 gallons per minute(gpm) and 950 acre-feet per year for supplemental irrigation of 250 acres from a well located approximately 900 feet south and 1000 feet west of the northeast corner of Section 28, within the NE $\frac{1}{4}$ NE $\frac{1}{4}$  Section 28, T. 11 N., R. 22 E.W.M. The place of use is the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 33; and E $\frac{1}{2}$ E $\frac{1}{2}$  of Section 28, and N $\frac{1}{2}$ W $\frac{1}{2}$ W $\frac{1}{2}$  of Section 27; and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 27, all within T. 11 N., R. 22 E.W.M., LESS rights of way.

One of the provisions for Ground Water Certificate No. G4-24824C states "In that the applicant claims rights from another source, Rosa Irrigation District, A total of 950 acre-feet shall be allowed for the purpose of irrigation, less any amount applied to these same lands under existing rights." Since the RID is expected to be able to provide 28 percent of the normal allotment, Ground Water Certificate G4-24824C can be expected to pump up to 684 acre-feet of supplemental water during the 2001 irrigation season on the lands covered by this Certificate.

The applicant proposes to stop the irrigation of 134.19 acres during the 2001 irrigation season to make water available to other properties they own which are irrigated with water from the RID. This would allow 367 acre-feet of supplemental water to be pumped into the RID canal for the irrigation of 134.19 acres described below.

If the RID is not providing irrigation water through its canal, pumping water into the empty canal under Certificate No. G4-24824C would not make water available for a beneficial use to other Kershaw properties through the RID canal. This would be a waste of water and not be in the best public interest.

The existing point of withdrawal for Ground Water Certificate No G4-24824C will be used to pump water directly into the RID canal.

#### Conclusions and Decision

Authorizing these changes of water right to be used by the RID will not impair existing water rights.





This **DROUGHT EMERGENCY CHANGE DECISION** authorizes the withdrawal of 1200 gpm and up to 367 acre-feet per year under Ground Water Certificate No. G4-24824C in Yakima County to the other Kershaw Sunnyside Ranches properties through the RID canal to property described as follows:

A total of 134.19 acres known as Visser Ranch and Daniels Ranch described as:  
Visser Ranch-that portion of the S½SW¼ lying easterly of Sulphur Creek Wasteway and north of Sunnyside Canal right of way, Section 17, T. 10 N., R. 23, E.W.M., parcel number 231017-34004.

Daniels Ranch-Parcel 1) the SW¼NW¼ of Section 29, T. 11 N., R. 21 E.W.M., EXCEPT the north 150 feet of the south 564 feet of the west 300 feet thereof, and Except the west 30 feet thereof for County Road; Parcel No. 211129-23001; and Parcel 2) the north 150 feet of the south 564 feet of the west 300 feet of the SW¼ NW¼ of Section 29, T. 11 N., R. 21 E.W.M., EXCEPT the west 30 feet for road, Parcel No 212229-23002.

A water duty of 1200 gpm and 367 acre-feet of supplemental water during the 2001 irrigation season is anticipated with the RID providing 28% of its normal water supply to irrigate 134.19 acres.

The point of withdrawal is the existing well authorized under Certificate No. G4-24824C located within the NE¼NE¼ of Section 28, T. 11 N., R. 22 E.W.M.

#### Provisions

The following provisions shall apply to this change authorization:

Within 15 days of receipt of this authorization, the applicant shall submit a map to Ecology showing the lands (134.19 acres) formerly irrigated under Surface Water Permit No S4-28272P that will not be irrigated under this right and the lands (134.19 acres) to be irrigated at the new place of use as a result of this change.

In that the applicant claims rights from another source, Rosa Irrigation District, a total of 509.9 acre-feet (the RID is expected to be able to provide 28% of its normal water supply to irrigate 134.19 acres which would allow 367 acre-feet available under this authorization) shall be allowed for the purpose of irrigation, less any amount applied to these same lands under existing rights.

Water can only be pumped under Certificate No. G4-24824C into the RID canal when the RID is actually providing water to its patrons.

A measuring device approved by the Department of Ecology must be installed prior to use of the water.

Bi-weekly (every 2 weeks) readings of the measuring device shall be recorded and shall include the date and time of measurement, water flow rate, volume of water, and the name of the person taking the meter readings. Within 30-days of the end of this irrigation season, the permittee shall send a copy of this data to the Central Regional Office.

This drought emergency authorization expires on October 31, 2001.

REPORT BY: Philip N. Kerr DATE: MAY 10, 2001  
Philip N. Kerr

APPROVED BY: Robert F. Barwin DATE: 5/10/2001  
Robert F. Barwin, Section Manager

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